

REMARKS

This application was originally filed with Claims 1-27. Claims 28-38 are now pending in the application; and 3, 8-11 and 13-27 are withdrawn from consideration.

In the Office Action, Claims 1-2, 4-7 and 12 are rejected. In addition, the drawings filed January 22, 2003 are accepted.

Claims 1-2, 4-7 and 12 have been cancelled; and Claims 28-38 are new.

REJECTION UNDER 35 U.S.C. § 102

Claims 1-2, 4 and 5-7 are rejected under 35 U.S.C. § 102(e) as being anticipated by Van Dine et al. (6,331,366). This rejection is respectfully traversed.

In an interview conducted January 14, 2004, it was noted that none of the art of record teaches or suggests a recirculation path for fuel processor gas from a fuel processor outlet to a fuel processor inlet. Further, Van Dine et al. and other art of record do not show a stack by-pass flow path. These features are now present in independent Claims 28 and 37. Note that Claim 36 defines fuel processor gas consistent with ¶48 of the specification.

Claims 1-2 and 4-5 are rejected under 35 U.S.C. § 102(e) as being anticipated by Kobayashi (2001/0018141). This rejection is respectfully traversed for the reasons given above with respect to Van Dine et al., as discussed in the interview of January 14, 2004.

Claims 1-2 and 7 are rejected under 35 U.S.C. § 102(e) as being anticipated by Ilo et al. (2003/0027024). This rejection is respectfully traversed for the reasons given above with respect to Van Dine et al., as discussed in the interview of January 14, 2004.

Claims 1-2 are rejected under 35 U.S.C. § 102(e) as being anticipated by Hart-Predmore et al. (6,436,561). This rejection is respectfully traversed for the reasons given above with respect to Van Dine et al., as discussed in the interview of January 14, 2004.

REJECTION UNDER 35 U.S.C. § 103

Claim 12 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Van Dine et al. or Kobayashi or Ilo et al. or Hart-Predmore et al. as applied to Claim 1, and further in view of Beshty et al. (4,670,359). This rejection is respectfully traversed.

This 103 rejection was discussed in the interview of January 14, 2004. Beshty does not supply the deficiencies of any of Van Dine et al., Kobayashi, Ilo et al., or Hart-Predmore, as respects Claim 38, which replaces Claim 12.

INTERVIEW SUMMARY

Consistent with the remarks herein above, the summary is as follows.

In an interview conducted January 14, 2004, it was noted that none of the art of record teaches or suggests a recirculation path for fuel processor gas from a fuel processor outlet to a fuel processor inlet. Further, Van Dine et al. and other art of record do not show a stack by-pass flow path.

Further, it is understood that features now present in independent Claims 28 and 37 render such claims patentable over all the applied art, per the interview.



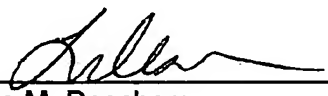
RECEIVED
JAN 22 2004
TC 1700

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: 15 January 04

By: 
Linda M. Deschere
Reg. No. 34,811

HARNES, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

LDES/f-s

G:\descher\8540G (General Motors Corporation)\000096\Amendment (due 1-16-04)\Amendment.doc